IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

CWP No.13262 of 2006
Date of Decision: 30.10.2006

Smt.Arvinder Kaur

Petitioner

versus

State of Punjab and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MR. JUSTICE PRITAM PAL

Present: Shri Amar Singh, Advocate for the petitioner
Shri P.S.Chhina, Additional Advocate General, Punjab
Shri I.S.Sidhu, Advocate for respondent No.5

Jasbir Singh, J. (Oral)

This writ petition has been filed with a prayer to quash order dated 11.8.2006 (Annexure P/3), vide which, in appeal, award passed by the Arbitrator, was set aside.

When notice of motion was issued on 24.8.2006, following contention of counsel for the petitioner, was noticed by this Court:-

> *"Counsel for the petitioner contends that after noting down contention of counsel for the parties, without discussing any of the arguments raised, the appellate authority, by passing a non-speaking order, allowed the appeal and set aside the well reasoned award dated 1.2.2006."*

After hearing counsel for the parties, we are satisfied that the contention raised, is perfectly justified. It is apparent from the records that vide order Annexure P/3, the officer concerned has allowed the appeal without referring to the facts of the case and also arguments raised. No

reasons have been given to give a finding that the award was liable to be set aside. To the contention raised, Shri Sidhu has failed to show anything to the contrary.

In view of facts mentioned above, this writ petition is allowed and the matter is remitted to respondent No.3, to decide it again, after hearing the parties. It is expected that the officer concern shall pass a speaking order.

Parties are directed to appear before the appellate Court on 20.11.2006.

(Jasbir Singh)
Judge

October 30, 2006 **(Pritam Pal)**
gk **Judge**